

§1521. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms shall have the following meanings. [PL 1979, c. 572, §2 (NEW).]

1. Applicant. "Applicant" includes the person filing an application for registration of a mark under this chapter and the person's legal representatives, successors or assigns.

[RR 2023, c. 2, Pt. C, §37 (COR).]

1-A. Certification mark. "Certification mark" means a mark used upon or in connection with the products or services of one or more persons other than the owner of the mark to certify regional or other origin, material, mode of manufacture, quality, accuracy or other characteristics of such goods or services, or that the work or labor on the goods or services was performed by members of a union or other organization.

[PL 1981, c. 684, §1 (NEW).]

1-B. Collective mark. "Collective mark" means a trademark or service mark used by the members of a cooperative, an association or other collective group or organization, and includes marks used to indicate membership in a union, an association or other organization.

[PL 1981, c. 684, §1 (NEW).]

1-C. Corporate name. "Corporate name" includes any corporate name, reserved name, registered name or assumed name as those terms are used in Title 13-C, sections 401, 402, 403 and 404 respectively and includes a corporate name, reserved name, registered name or assumed name as those terms are used in Title 13-B, sections 301-A, 302-A, 303-A and 308-A respectively.

[PL 2003, c. 344, Pt. A, §1 (NEW).]

2. Corporate name.

[PL 2003, c. 344, Pt. A, §2 (RP).]

2-A. Limited partnership name. "Limited partnership name" includes a limited partnership name or assumed name under Title 31, section 1308 or reserved name or registered name as used in Title 31, section 1309.

[PL 2005, c. 543, Pt. D, §6 (AMD); PL 2005, c. 543, Pt. D, §18 (AFF).]

2-B. Limited liability company name. "Limited liability company name" includes a limited liability company name, reserved name, assumed name or registered name as those terms are used in Title 31, sections 1508 to 1511.

[PL 2009, c. 629, Pt. A, §3 (AFF); PL 2009, c. 629, Pt. B, §6 (AMD).]

2-C. Limited liability partnership name. "Limited liability partnership name" includes a limited liability partnership name, reserved name, assumed name or registered name as those terms are used in Title 31, sections 803-A to 806-A.

[PL 2003, c. 344, Pt. A, §5 (AMD).]

3. Mark. "Mark" includes any trademark, service mark, certification mark or collective mark entitled to be registered under this chapter, whether registered or not.

[PL 1981, c. 684, §2 (RPR).]

4. Person. "Person" means any individual, firm, partnership, corporation, association, union or other organization.

[PL 1979, c. 572, §2 (NEW).]

5. Registrant. "Registrant" includes the person to whom the registration of a mark under this chapter is issued, the registrant's legal representatives, successors or assigns.

[PL 1991, c. 465, §10 (AMD).]

6. Service mark. "Service mark" means a mark used in the sale or advertising of services to identify the services of one person and distinguish them from the services of others.
[PL 1979, c. 572, §2 (NEW).]

7. Trade name. "Trade name" means a word, name, symbol, device or any combination thereof used by a person to identify the person's business, vocation or occupation and distinguish it from the business, vocation or occupation of others.
[RR 2023, c. 2, Pt. C, §38 (COR).]

8. Trademark. "Trademark" means a word, name, symbol or device or any combination thereof adopted and used by a person to identify goods made or sold by the person and to distinguish them from goods made or sold by others.
[RR 2023, c. 2, Pt. C, §39 (COR).]

SECTION HISTORY

PL 1979, c. 572, §2 (NEW). PL 1981, c. 684, §§1,2 (AMD). PL 1991, c. 465, §§10,11 (AMD). PL 1993, c. 316, §§2,3 (AMD). PL 1993, c. 718, §B1 (AMD). PL 1995, c. 633, §C1 (AMD). PL 2003, c. 344, §§A1-5 (AMD). PL 2005, c. 543, §D6 (AMD). PL 2005, c. 543, §D18 (AFF). PL 2009, c. 629, Pt. A, §3 (AFF). PL 2009, c. 629, Pt. B, §6 (AMD). RR 2023, c. 2, Pt. C, §§37-39 (COR).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Special Session of the 132nd Maine Legislature and is current through October 1, 2025. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.